

5/15/89 VACATION OF SERVICE ROAD AT
SUPERAMERICA (Vernon Avenue)

DORSEY & WHITNEY

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

350 PARK AVENUE
NEW YORK, NEW YORK 10022
(212) 415-9200

1330 CONNECTICUT AVENUE, N. W.
WASHINGTON, D. C. 20036
(202) 857-0700

3 GRACECHURCH STREET
LONDON EC3V 0AT, ENGLAND
01-929-3334

36, RUE TRONCHET
75009 PARIS, FRANCE
01-42-66-59-49

FAR EAST FINANCE CENTER
HONG KONG
852-5-8612555

2200 FIRST BANK PLACE EAST
MINNEAPOLIS, MINNESOTA 55402
(612) 340-2600

TELEX 29-0605
FAX (612) 340-2868

340 FIRST NATIONAL BANK BUILDING
ROCHESTER, MINNESOTA 55903
(507) 288-3156

315 FIRST NATIONAL BANK BUILDING
WAYZATA, MINNESOTA 55391
(612) 475-0373

1200 FIRST INTERSTATE CENTER
BILLINGS, MONTANA 59103
(406) 252-3800

201 DAVIDSON BUILDING
GREAT FALLS, MONTANA 59401
(406) 727-3632

127 EAST FRONT STREET
MISSOULA, MONTANA 59802
(406) 721-6025

August 15, 1989

Ms. Marcella M. Daehn
City Clerk
City of Edina
4801 West 50th Street
Edina, Minnesota 55424

Re: Recorded Easement Vacations

Dear Ms. Daehn:

Enclosed please find the following recorded documents:

1. Resolution Vacating Easement for Street Purposes, Document No. 5557481;
2. Notice of Completion of Proceedings on Vacation of Easement for Street Purposes, Document No. 5557482;
3. Notice of Completing Proceedings on Vacation of Easement for Drainage and Utility Purposes, Document No. 5562897 (duplicate filing); and
4. Notice of Completion of Proceedings on Vacation of Easement for Street Purposes, Document No. 5562898 (duplicate filing).

Edinburgh Way
7/24/89

6725 Apache Rd.
3/7/89


Frontage Rd.
Super America
5/15/89

Ms. Marcella M. Daehn
August 15, 1989
Page 2

DORSEY & WHITNEY

The original recorded documents of nos. 3 and 4 above will be forwarded to you upon receipt.

Very truly yours,


Christine L. Holmquist
Legal Assistant to
Thomas S. Erickson

CLH/aal

Enclosures

cc: Thomas S. Erickson, Esq. (w/enc.)



4801 WEST 50TH STREET, EDINA, MINNESOTA 55424
612-927-8861

NOTICE OF COMPLETION OF PROCEEDINGS
ON VACATION OF EASEMENT FOR STREET PURPOSES
IN THE CITY OF EDINA, HENNEPIN COUNTY, MINNESOTA


NOTICE IS HEREBY GIVEN that the City Council of Edina, Hennepin County, Minnesota, on June 5, 1989, adopted a Resolution Vacating Easement for Street Purposes for area of frontage road adjacent to SuperAmerica on Vernon Avenue, after public hearing and notice thereof as required by law and after determining it to be in the best interest of the City and of the public that said easement vacation be made, which resolution ordered the vacation of the following described easement for street purposes, all as platted and of record in the office of the Register of Deeds in and for Hennepin County, Minnesota:

All that part of Lot 2, Block 1, Enroth's First Addition, described as follows:

Beginning at a point on the Westerly line of said Lot 2 with an assumed bearing of North 18 degrees 27 minutes 00 Seconds East distance 67.91 feet Northeasterly from the most Westerly corner of said Lot 2, as measured along said Westerly line; thence South 52 degrees 13 minutes 00 seconds East 42.39 feet; thence North 18 degrees 27 minutes 00 seconds East 100.83 feet to the North line of said Lot 2; thence North 78 degrees 16 minutes 05 seconds West 40.28 feet to the Northwestern corner of said Lot 2; thence South 18 degrees 27 minutes 00 seconds West along the Westerly line of said Lot 2 82.08 feet to the point of beginning.

The time of completion of proceedings and the effective date of said vacation is July 11, 1989.

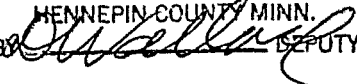
BY ORDER OF THE CITY COUNCIL,
CITY OF EDINA



Marcella M. Daehn, City Clerk
City of Edina

TRANSFER ENTERED
DEPT. OF PROPERTY TAX & PUBLIC RECORDS

AUG 11 1989

HENNEPIN COUNTY MINN.
BY  DEPUTY

OFFICE OF COUNTY RECORDER
HENNEPIN COUNTY, MINNESOTA
CERTIFIED FILED AND OR
RECORDED

89 AUG 11 PM 4: 28

AS DOCUMENT #5562898
By *Don Carlson* CO. RECORDER

P. J. Smith DEPUTY

Duplicate
Filing
Certificate
50 Cents



4801 WEST 50TH STREET, EDINA, MINNESOTA 55424
612-927-8861

August 16, 1989

Mr. Jack K. Lemley
Condemnation Supervisor
SuperAmerica
P.O. Box 14000
Lexington, KY 40512

Re: Completion of Vacation of Easement for Street Purposes
Frontage Road Adjacent to SuperAmerica/Vernon Avenue

Dear Mr. Lemley:

I am enclosing a copy of the Notice of Completion of Proceedings for the above referenced street vacation per your request.

The document has been entered in the transfer record of the County Auditor for Hennepin County and filed with the County Recorder as Document No. 5562898.

Very truly yours,

Marcella M. Daehn
City Clerk

enclosure



4801 WEST 50TH STREET, EDINA, MINNESOTA 55424
612-927-8861

August 1, 1989

Thomas S. Erickson, P.A.
Dorsey and Whitney
2200 First Bank Place East
Minneapolis, MN 55402

Re: Vacation of Easement - Service Road at SuperAmerica - Vernon Av/Link Rd

Dear Tom:

Enclosed are two certified copies of Notice of Completion of Proceedings for the above referenced easement vacation. The vacation was approved by the Edina City Council at its meeting of June 5, 1989, subject to SuperAmerica granting the necessary right of way on the west side of their property for the Link Road project. Fran Hoffman has confirmed that documents have been executed by SuperAmerica for the right of way, which have been sent to you.

Please have the Notice of Completion entered in the transfer record of the County Auditor and filed with the County Recorder and then return the recorded document. SuperAmerica is anxious to have the vacation recorded and ask that they be notified as soon as this has been done.

Thanks for your assistance.

Very truly yours,

A handwritten signature in cursive script that reads 'Marcella M. Daehn'.

Marcella M. Daehn
City Clerk



4801 WEST 50TH STREET, EDINA, MINNESOTA 55424
612-927-8861

July 24, 1989

Mr. J. K. Lemley
Condemnation Supervisor
SuperAmerica
P. O. Box 14000
Lexington, KY 40512

SUBJECT: Vernon Avenue/Link Road

Dear Jack:

Enclosed are the following documents for the subject project:

- (1) Notice of Completion of Proceedings on Vacation of Easement
for Street Purposes
- (2) Resolution Vacating Easement for Street Purposes

Please call if you have any questions.

Sincerely,

Francis J. Hoffman, P.E.
Director of Public Works
and City Engineer

FJH/clf

Enclosures

JUL 27 1989

NOTICE OF COMPLETION OF PROCEEDINGS
ON VACATION OF EASEMENT FOR STREET PURPOSES
IN THE CITY OF EDINA, HENNEPIN COUNTY, MINNESOTA

NOTICE IS HEREBY GIVEN that the City Council of Edina, Hennepin County, Minnesota, on June 5, 1989, adopted a Resolution Vacating Easement for Street Purposes for area of frontage road adjacent to SuperAmerica on Vernon Avenue, after public hearing and notice thereof as required by law and after determining it to be in the best interest of the City and of the public that said easement vacation be made, which resolution ordered the vacation of the following described easement for street purposes, all as platted and of record in the office of the Register of Deeds in and for Hennepin County, Minnesota:

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Beginning at a point on the Westerly line of said Lot 2 with an assumed bearing of North 18 degrees 27 minutes 00 Seconds East distance 67.91 feet Northeasterly from the most Westerly corner of said Lot 2, as measured along said Westerly line; thence South 52 degrees 13 minutes 00 seconds East 42.39 feet; thence North 18 degrees 27 minutes 00 seconds East 100.83 feet to the North line of said Lot 2; thence North 78 degrees 16 minutes 05 seconds West 40.28 feet to the Northwesternly corner of said Lot 2; thence South 18 degrees 27 minutes 00 seconds West along the Westerly line of said Lot 2 82.08 feet to the point of beginning.

The time of completion of proceedings and the effective date of said vacation is July 11, 1989.

BY ORDER OF THE CITY COUNCIL,
CITY OF EDINA

Marcella M. Daehn, City Clerk
City of Edina



REPORT/RECOMMENDATION

To: Mayor & City Council	Agenda Item # <u>IV.A. & B.</u>
From: Francis Hoffman City Engineer	Consent <input type="checkbox"/>
Date: 15 May, 1989	Information Only <input type="checkbox"/>
Subject: Vacation Hearing - Portion of Frontage Road Adjacent to Superamerica on Vernon Avenue	Mgr. Recommends <input type="checkbox"/> To HRA
	<input type="checkbox"/> To Council
	Action <input type="checkbox"/> Motion
	<input checked="" type="checkbox"/> Resolution
	<input type="checkbox"/> Ordinance
	<input type="checkbox"/> Discussion

Recommendation:

(By Resolution) A. Vacate area of frontage road and adjacent to Superamerica as depicted in attached Exhibit A subject to condition of right-of-way being granted on the west side of Superamerica per Exhibit A.

(By Motion) B. Waive \$3,000.00 requirement on vacating frontage road.

Info/Background:

The vacation hearing is part of the project in the Grandview area approved by City Council earlier.

The project requires additional right-of-way on the Link Road side of Superamerica to properly reconstruct the Eden - Link to Vernon section of the roadway. The attached exhibit shows in three pages the areas to be exchanged, the existing conditions, and the new street overlaying the existing conditions.

The proposal is to vacate the necessary area on the frontage road to accomplish project and receive from Superamerica the necessary right-of-way in exchange.

The new intersection at Vernon and Link Road would be signalized with an auxiliary eastbound right lane being constructed on Vernon from west of Link thru the intersection and the right turn lane would end as it turns into Jerrys most westerly driveway.

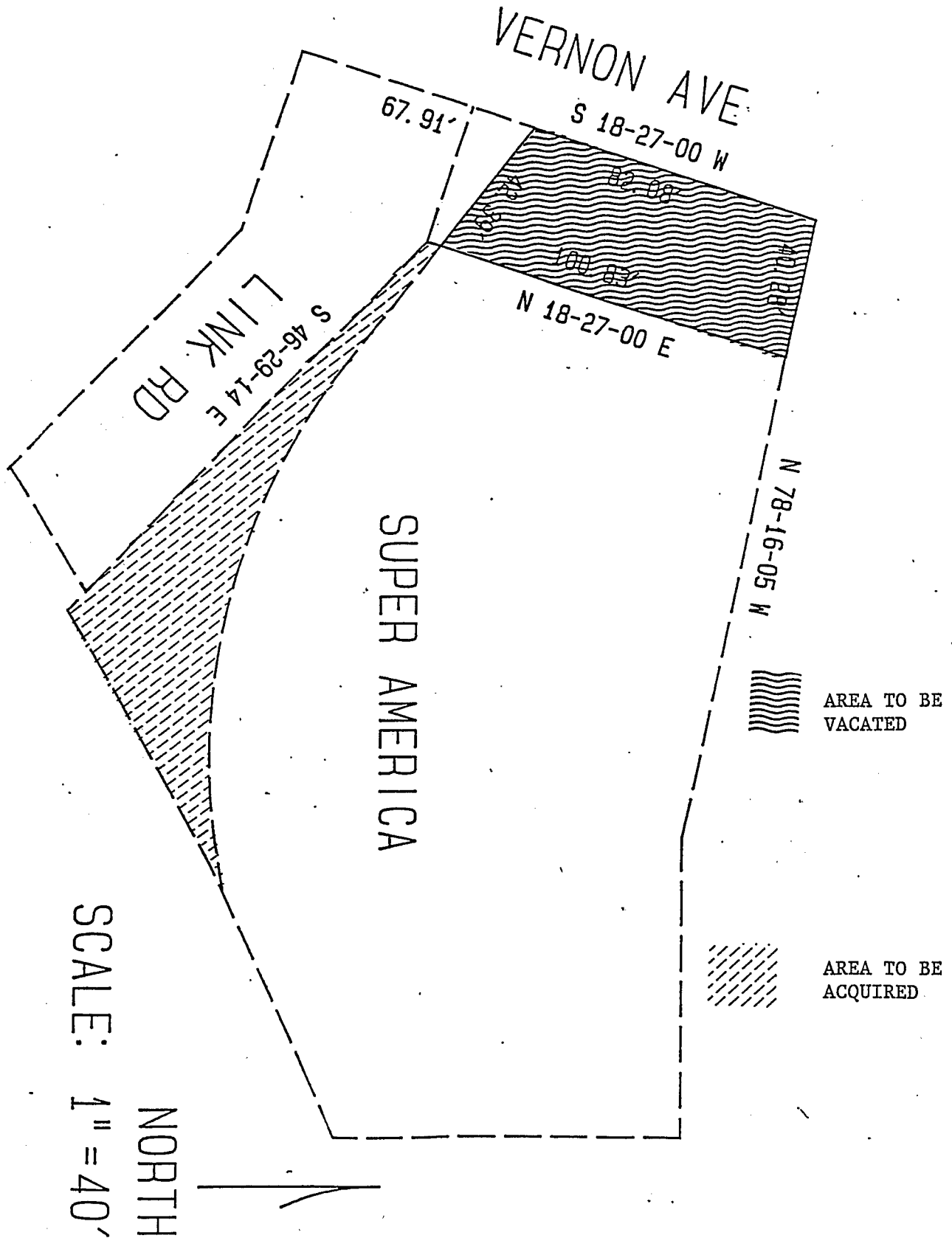
Report/Recommendation
Vacation Hearing - Portion of
Frontage Road Adjacent to
Superamerica on Vernon Avenue

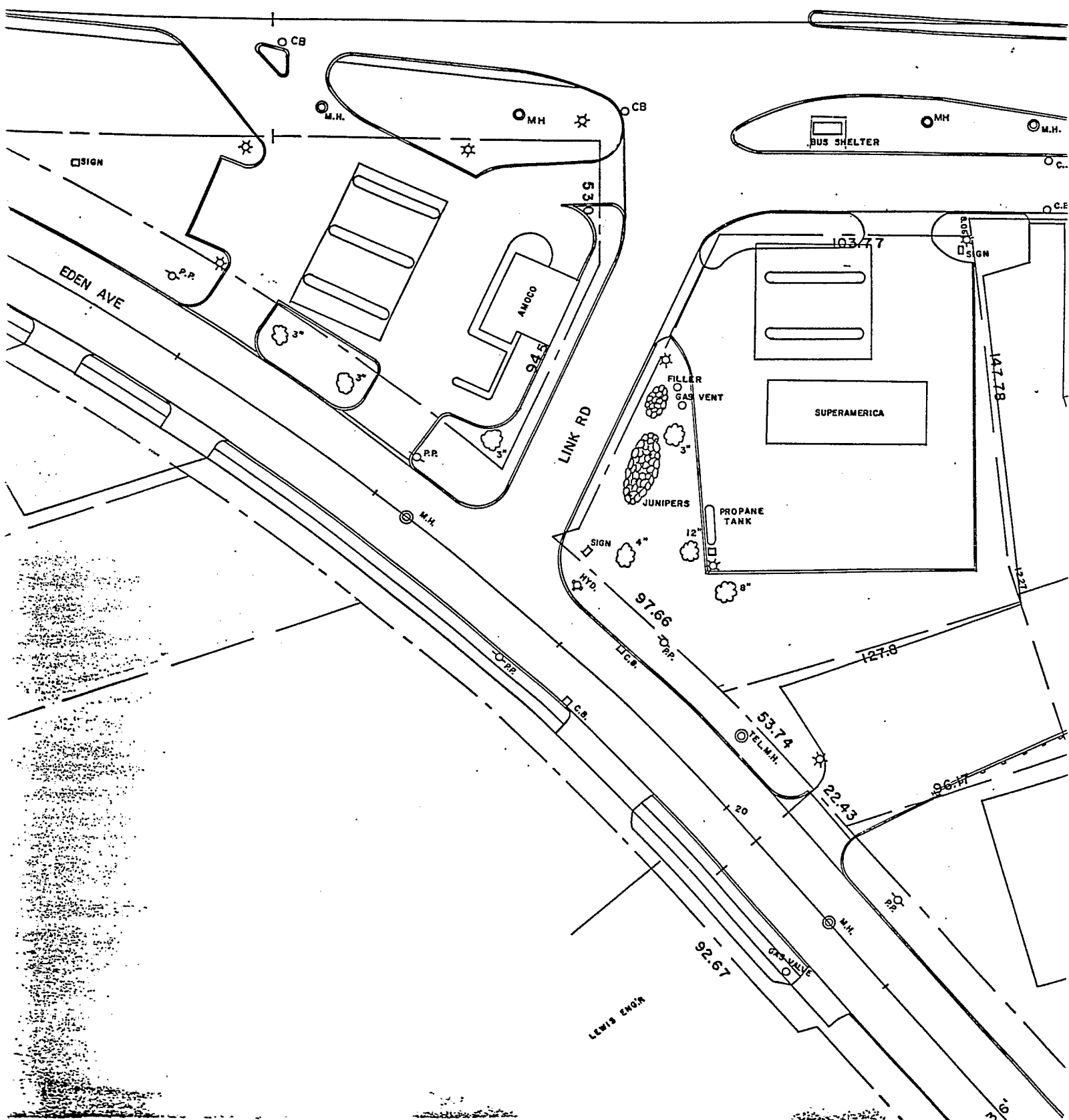
Page Two

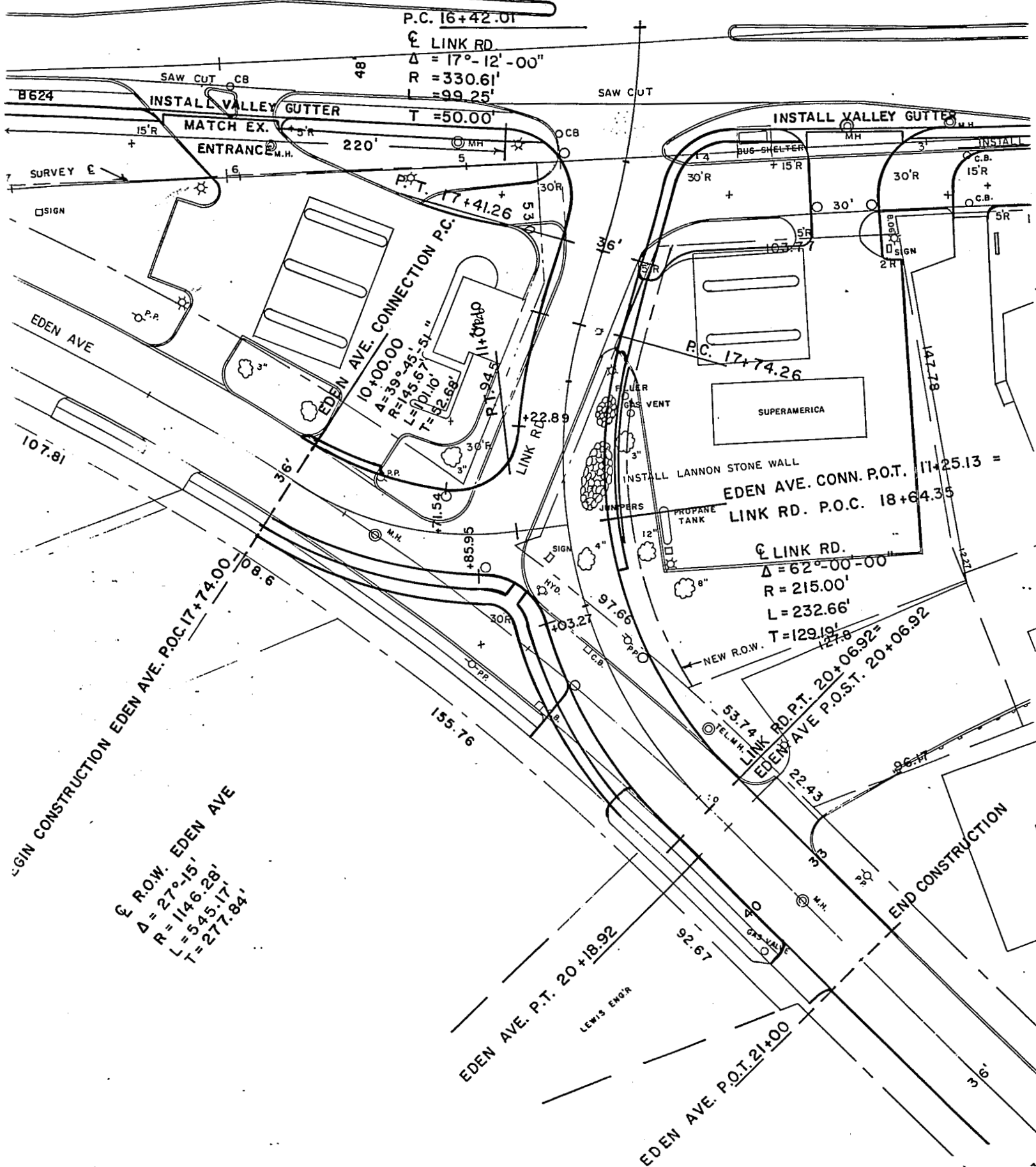
Additionally, the vacation of the portion of frontage road would have required a pay back to the City of \$3,000.00 if we were vacating the area without any conditions. However, in this current scenario, we would be exchanging areas and would recommend waiving the \$3,000.00 pay back

As such, staff recommends the actions listed under the recommendations.

EXHIBIT A







DORSEY & WHITNEY

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

350 PARK AVENUE
NEW YORK, NEW YORK 10022
(212) 415-9200

3 GRACECHURCH STREET
LONDON EC3V 0AT, ENGLAND
01-929-3334

36, RUE TRONCHET
75009 PARIS, FRANCE
01-42-66-59-49

340 FIRST NATIONAL BANK BUILDING
P. O. BOX 848
ROCHESTER, MINNESOTA 55903
(507) 288-3156

510 NORTH CENTRAL LIFE TOWER
445 MINNESOTA STREET
ST. PAUL, MINNESOTA 55101
(612) 227-8017

2200 FIRST BANK PLACE EAST
MINNEAPOLIS, MINNESOTA 55402
(612) 340-2600

TELEX 29-0605
TELECOPIER (612) 340-2868

THOMAS S. ERICKSON, P. A.
(612) 340-2659

1200 FIRST INTERSTATE CENTER
401 NORTH 31ST STREET
P. O. BOX 7188
BILLINGS, MONTANA 59103
(406) 252-3800

201 DAVIDSON BUILDING
8 THIRD STREET NORTH
GREAT FALLS, MONTANA 59401
(406) 727-3632

127 EAST FRONT STREET
MISSOULA, MONTANA 59802
(406) 721-6025

315 FIRST NATIONAL BANK BUILDING
WAYZATA, MINNESOTA 55391
(612) 475-0373

May 1, 1989

Mr. Gordon L. Hughes
City of Edina
4801 West 50 Street
Edina, Minnesota 55424

Re: Link Road - SuperAmerica Service Station

Dear Gordon:

In connection with your negotiations with SuperAmerica Stations, I understand that the proposed settlement with SuperAmerica as to the location of their stations depends in part upon a vacation of the frontage road along Vernon Avenue and the ownership by SuperAmerica of the portion of that road fronting on their property. You have asked us to determine whether, upon vacation of the City's easement for that frontage road, the property subject to the easement would be owned by SuperAmerica Stations.

We have reviewed the records at the Court House relative to this matter and have determined that the property underlying the easement in favor of the City for the frontage road along Vernon Avenue is owned, as to Lot 2, Block 1, Enroth First Addition, by SuperAmerica Stations, Inc. Therefore, upon vacation of the City easement said frontage road, to the extent it fronts upon said Lot 2, will belong to SuperAmerica Stations, Inc. free of the City easement.

Also, please be advised that the document granting the easement to the City specifically provides that if the easement, or any part, is vacated or abandoned, the owner of said Lot 2 shall pay to the City the sum of \$3,000, or a pro rata part thereof (based on the rate which the number of square feet within the vacated area bears to the total easement area). If not paid within 30 days of demand, interest accrues at 6% per annum, and the City has a lien on Lot 2

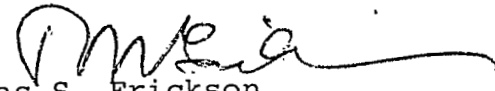
DORSEY & WHITNEY

Mr. Gordon L. Hughes
May 1, 1989
Page Two

enforceable as a mortgage on real estate. Based on the state deed tax stamps on the easement, the \$3,000 appears to be what the City paid for the easement.

I trust this is responsive to your inquiry. If you have any questions, please let me know.

Very truly yours,

A handwritten signature in dark ink, appearing to read 'T. Erickson', with a long horizontal flourish extending to the right.

Thomas S. Erickson

TSE:jd
cc: Mr. Kenneth E. Rosland
Mr. Fran Hoffman



4801 WEST 50TH STREET, EDINA, MINNESOTA 55424
612-927-8861

RESOLUTION VACATING
EASEMENT FOR STREET PURPOSES

WHEREAS, a resolution of the City Council, adopted the 1st day of May, 1989, fixed a date for a public hearing on a proposed vacation of easement for street purposes; and

WHEREAS, two weeks' published and posted notice of said hearing was given and the hearing was held on the 5th day of June, 1989, at which time all persons desiring to be heard were given an opportunity to be heard thereon; and

WHEREAS, the Council deems it to be in the best interest of the City and of the public that said easement vacation be made; and

WHEREAS, the Council has considered the extent to which the vacation affects existing easements within the area of the vacation and the extent to which the vacation affects the authority of any person, corporation, or municipality owning or controlling electric, telephone or cable television poles and lines, gas and sewer lines, or water pipes, mains, and hydrants on or under the area of the proposed vacation, to continue maintaining the same, or to enter upon such easement area or portion thereof vacated to maintain, repair, replace, remove, or otherwise attend thereto;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Edina, Hennepin County, Minnesota, that the following described street right of way is hereby vacated:

All that part of Lot 2, Block 1, Enroth's First Addition, described as follows:

Beginning at a point on the Westerly line of said Lot 2 with an assumed bearing of North 18 degrees 27 minutes 00 Seconds East distance 67.91 feet Northeasterly from the most Westerly corner of said Lot 2, as measured along said Westerly line; thence South 52 degrees 13 minutes 00 seconds East 42.39 feet; thence North 18 degrees 27 minutes 00 seconds East 100.83 feet to the North line of said Lot 2; thence North 78 degrees 16 minutes 05 seconds West 40.28 feet to the Northwestern corner of said Lot 2; thence South 18 degrees 27 minutes 00 seconds West along the Westerly line of said Lot 2 82.08 feet to the point of beginning.

The City Clerk is hereby authorized and directed to cause a notice of completion of proceedings to be prepared, entered in the transfer record of the County Auditor, and filed with the County Recorder, in accordance with Minnesota Statutes, Section 412.851.

ADOPTED this 5th day of June, 1989.

STATE OF MINNESOTA)
COUNTY OF HENNEPIN) SS
CITY OF EDINA)

CERTIFICATE OF CITY CLERK

I, the undersigned duly appointed and acting City Clerk for the City of Edina, do hereby certify that the attached and foregoing Resolution was duly adopted by the Edina City Council at its Regular Meeting of June 5, 1989, and as recorded in the Minutes of said Regular Meeting.

WITNESS my hand and seal of said City this 11th day of July, 1989.

Maureen M. Dack
City Clerk



4801 WEST 50TH STREET, EDINA, MINNESOTA 55424
612-927-8861

RESOLUTION VACATING
EASEMENT FOR STREET PURPOSES

WHEREAS, a resolution of the City Council, adopted the 1st day of May, 1989, fixed a date for a public hearing on a proposed vacation of easement for street purposes; and

WHEREAS, two weeks' published and posted notice of said hearing was given and the hearing was held on the 5th day of June, 1989, at which time all persons desiring to be heard were given an opportunity to be heard thereon; and

WHEREAS, the Council deems it to be in the best interest of the City and of the public that said easement vacation be made; and

WHEREAS, the Council has considered the extent to which the vacation affects existing easements within the area of the vacation and the extent to which the vacation affects the authority of any person, corporation, or municipality owning or controlling electric, telephone or cable television poles and lines, gas and sewer lines, or water pipes, mains, and hydrants on or under the area of the proposed vacation, to continue maintaining the same, or to enter upon such easement area or portion thereof vacated to maintain, repair, replace, remove, or otherwise attend thereto;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Edina, Hennepin County, Minnesota, that the following described street right of way is hereby vacated:

All that part of Lot 2, Block 1, Enroth's First Addition, described as follows:

Beginning at a point on the Westerly line of said Lot 2 with an assumed bearing of North 18 degrees 27 minutes 00 Seconds East distance 67.91 feet Northeasterly from the most Westerly corner of said Lot 2, as measured along said Westerly line; thence South 52 degrees 13 minutes 00 seconds East 42.39 feet; thence North 18 degrees 27 minutes 00 seconds East 100.83 feet to the North line of said Lot 2; thence North 78 degrees 16 minutes 05 seconds West 40.28 feet to the Northwestern corner of said Lot 2; thence South 18 degrees 27 minutes 00 seconds West along the Westerly line of said Lot 2 82.08 feet to the point of beginning.

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ADOPTED this 5th day of June, 1989.

STATE OF MINNESOTA)
COUNTY OF HENNEPIN) SS
CITY OF EDINA)

CERTIFICATE OF CITY CLERK

I, the undersigned duly appointed and acting City Clerk for the City of Edina, do hereby certify that the attached and foregoing Resolution was duly adopted by the Edina City Council at its Regular Meeting of June 5, 1989, and as recorded in the Minutes of said Regular Meeting.

WITNESS my hand and seal of said City this 11th day of July, 1989.

Martha M. Dehn
City Clerk

RESOLUTION VACATING
EASEMENT FOR STREET PURPOSES

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WHEREAS, two weeks' published and posted notice of said hearing was given and the hearing was held on the 5th day of June, 1989, at which time all persons desiring to be heard were given an opportunity to be heard thereon; and

WHEREAS, the Council deems it to be in the best interest of the City and of the public that said easement vacation be made; and

WHEREAS, the Council has considered the extent to which the vacation affects existing easements within the area of the vacation and the extent to which the vacation affects the authority of any person, corporation, or municipality owning or controlling electric, telephone or cable television poles and lines, gas and sewer lines, or water pipes, mains, and hydrants on or under the area of the proposed vacation, to continue maintaining the same, or to enter upon such easement area or portion thereof vacated to maintain, repair, replace, remove, or otherwise attend thereto;

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The City Clerk is hereby authorized and directed to cause a notice of completion of proceedings to be prepared, entered in the transfer record of the County Auditor, and filed with the County Recorder, in accordance with Minnesota Statutes, Section 412.851.

ADOPTED this 5th day of June, 1989.

Minnesota Suburban Newspapers

AFFIDAVIT OF PUBLICATION

STATE OF MINNESOTA)

SS.

COUNTY OF HENNEPIN)

Gregory Ptacin

, being duly sworn on an oath says

the publisher or authorized agent and employee of the publisher of the newspaper

Edina Sun-Current

, and has full knowledge of the facts

stated below.

(A) The newspaper has complied with all of the requirements constituting qualification as a qualified newspaper as provided by Minnesota Statute 331A.02, 331A.07, and other applicable laws, as amended.

(B) The printed Notice of Public Hearing

which is attached was cut from the columns of said newspaper, and was printed and published on

for two successive weeks; it was first published on Wednesday, the 2

of April, 19 89, and was thereafter printed and published on every Wednesday

and including Wednesday, the 3 day of May, 19 89; and printed below is

a copy of the lower case alphabet from A to Z, both inclusive, which is hereby acknowledged as being the size

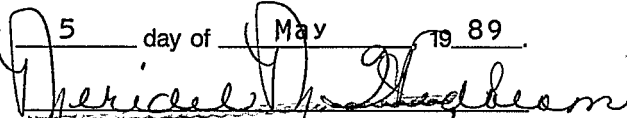
and kind of type used in the composition and publication of the notice:

abcdefghijklmnopqrstuvwxyz

BY: 

TITLE: General Manager

Acknowledged before me on this

5 day of May, 19 89

Notary Public **MERIDEL M. HEDBLOM**
NOTARY PUBLIC — MINNESOTA
HENNEPIN COUNTY
My commission expires 7-2-92

RATE INFORMATION

(1) Lowest classified rate paid by commercial users for comparable space	\$ <u>1.10 per line</u>
(2) Maximum rate allowed by law for the above matter	\$ <u>59.8* per line</u>
(3) Rate actually charged for the above matter	\$ <u>53.7* per line</u>

City of Edina

(Official Record)
CITY OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424
NOTICE OF PUBLIC HEARING
ON VACATION OF EASEMENT
FOR STREET PURPOSES
IN THE CITY OF EDINA
HENNEPIN COUNTY, MINNESOTA
NOTICE IS HEREBY GIVEN that the City Council of the City of Edina, Hennepin County, Minnesota, will meet at the Edina City Hall, 4801 W. 50th Street, on May 15, 1989, at 7:00 p.m., for the purpose of holding a public hearing on the proposed vacation of the following street right of way:

All that portion of Lot 2, Block 1, Enroth's First Addition, described as follows:

Beginning at a point on the Westerly line of said Lot 2 with an assumed bearing of North 18 degrees 27 minutes 00 seconds East distance 61.2 feet Northeastly from the most Westerly corner of said Lot 2, as measured along said Westerly line; thence South 52 degrees 13 minutes 00 seconds East 42.39 feet; thence North 18 degrees 27 minutes 00 seconds East 100.83 feet to the North line of said Lot 2; thence North 78 degrees 16 minutes 00 seconds West 40.28 feet to the Northwest corner of said Lot 2; thence South 18 degrees 27 minutes 00 seconds West along the Westerly line of said Lot 2 82.08 feet to the point of beginning.

All persons are desired to be heard with respect to the question whether or not the above proposed street vacation is in the public interest and should be made to be heard at said time and place. The Council shall consider the extent to which such proposed street vacation affects existing easements within the area of the proposed vacation and the extent to which the vacation affects the authority of any person, corporation, or municipality controlling electric, telephone, or cable poles and lines, gas and sewer lines, pipes, mains, and hydrants on or under the area of the proposed vacation, to continue using the same or to enter upon such easements or portion thereof vacated to maintain, replace, remove, or otherwise attend thereto. For the purpose of specifying, in any such vacation resolution, the extent to which any or all of any such easements, and such authority to maintain, and to enter upon the area of the proposed vacation, shall continue.

BY ORDER OF THE EDINA CITY COUNCIL
MARCELLA M. DAEHN
City Clerk

(April 26 & May 3, 1989)-ED

Minnesota Suburban Newspapers

AFFIDAVIT OF PUBLICATION

STATE OF MINNESOTA)

SS.

COUNTY OF HENNEPIN)

Gregory Ptacin, being duly sworn on an oath say
the publisher or authorized agent and employee of the publisher of the newspaper
Edina Sun-Current, and has full knowledge of the
stated below.

(A) The newspaper has complied with all of the requirements constituting qualification as a qual
as provided by Minnesota Statute 331A.02, 331A.07, and other applicable laws, as amended.

(B) The printed Notice of Public Hearing

which is attached was cut from the columns of said newspaper, and was printed and published
for two successive weeks; it was first published on Wednesday, the
of April, 1989, and was thereafter printed and published on every Wedn
and including Wednesday, the 3 day of May, 1989; and

a copy of the lower case alphabet from A to Z, both inclusive, which is hereby acknowledged as being the size
and kind of type used in the composition and publication of the notice:

abcdefghijklmnopqrstuvwxyz

BY:

TITLE:

General Manager

Acknowledged before me on this

5 day of May, 1989
Meridel M. Hedblom
Notary Public
MERIDEL M. HEDBLOM
NOTARY PUBLIC - MINNESOTA
HENNEPIN COUNTY
My commission expires 7-2-92

RATE INFORMATION

(1) Lowest classified rate paid by commercial users for comparable space	\$ 1.10 per line
(2) Maximum rate allowed by law for the above matter	\$ 59.8* per line
(3) Rate actually charged for the above matter	\$ 53.7* per line

City of Edina

(Official Publication)
CITY OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424
NOTICE OF PUBLIC HEARING
ON VACATION OF EASEMENT
FOR STREET PURPOSES
IN THE CITY OF EDINA
HENNEPIN COUNTY, MINNESOTA
NOTICE IS HEREBY GIVEN that the City
Council of the City of Edina, Hennepin County,
Minnesota, will meet at the Edina City Hall, 4801
W. 50th Street on May 15, 1989, at 7:00 p.m., for
the purpose of holding a public hearing on the pro-
posed vacation of the following street right of
way:

All that part of Block 1, Enroth's First
Addition, described as follows:

Beginning at a point on the Westerly line
of said Lot 2, then an assumed bearing of
North 18 degrees 00 minutes 00 seconds East
distance 67.91 feet Northeastly from the
most Westerly corner of said Lot 2, as
measured along said Westerly line; thence
South 52 degrees 00 minutes 00 seconds East
42.39 feet; thence North 18 degrees 27 minutes
00 seconds East 133 feet to the North line
of said Lot 2; thence North 78 degrees 16
minutes 05 seconds West 40.28 feet to the
Northwestly corner of said Lot 2; thence
South 18 degrees 00 minutes 00 seconds West
along the Westerly line of said Lot 2 82.08 feet
to the point of beginning.

All persons who are to be heard with respect
to the question of whether or not the above pro-
posed street vacation is in the public interest and
should be made should be heard at said time and
place. The Council shall consider the extent to
which such proposed street vacation affects ex-
isting easements within the area of the proposed
vacation and the extent to which the vacation af-
fects the authority of any person, corporation, or
municipality owning or controlling electric,
telephone, or cable transmission poles and lines, gas
and sewer lines, or water pipes, mains, and
hydrants on or under the proposed
vacation, to continue the same or to
enter upon such vacation for the purpose thereof
vacated to maintain, remove, or
otherwise attend to the same, or for the purpose of spec-
ifying, in any such vacation, the extent
to which any or all of the easements, and
such authority to maintain, and to enter upon the
area of the proposed vacation, shall continue.
BY ORDER OF THE EDINA CITY COUNCIL
MARCELLA M. DAHN
City Clerk

(April 26 & May 3, 1989)-ED

STREET AND/OR EASEMENT VACATION REVIEW

CITY ENGINEER by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

CONDITIONS _____

MINNEGASCO by Steve Von Bergen ☒ Acceptable ☐ Opposed ☐ Conditional

CONDITIONS 5-2-89

NORTHWESTERN BELL by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

CONDITIONS _____

N.S.P. by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

ROGERS CABLESYSTEMS by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

CONDITIONS _____

LOCATION Portion of Service Road at Superamerica - Vernon Avenue

PLEASE SIGN AND RETURN TO INDICATE RECEIPT OF NOTICE

Return to:

City Clerk
City of Edina
4801 W. 50th Street
Edina, MN 55424



JACK K. LEMLEY

Condemnation Supervisor
Corporate Real Estate Department

P.O. Box 14000
Lexington, Kentucky 40512

(606) 268-7526

MAP 17

5201
5203 UERWON
5205
5209

CITY OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424

NOTICE OF PUBLIC HEARING
ON VACATION OF EASEMENT FOR STREET PURPOSES
IN THE CITY OF EDINA
HENNEPIN COUNTY, MINNESOTA

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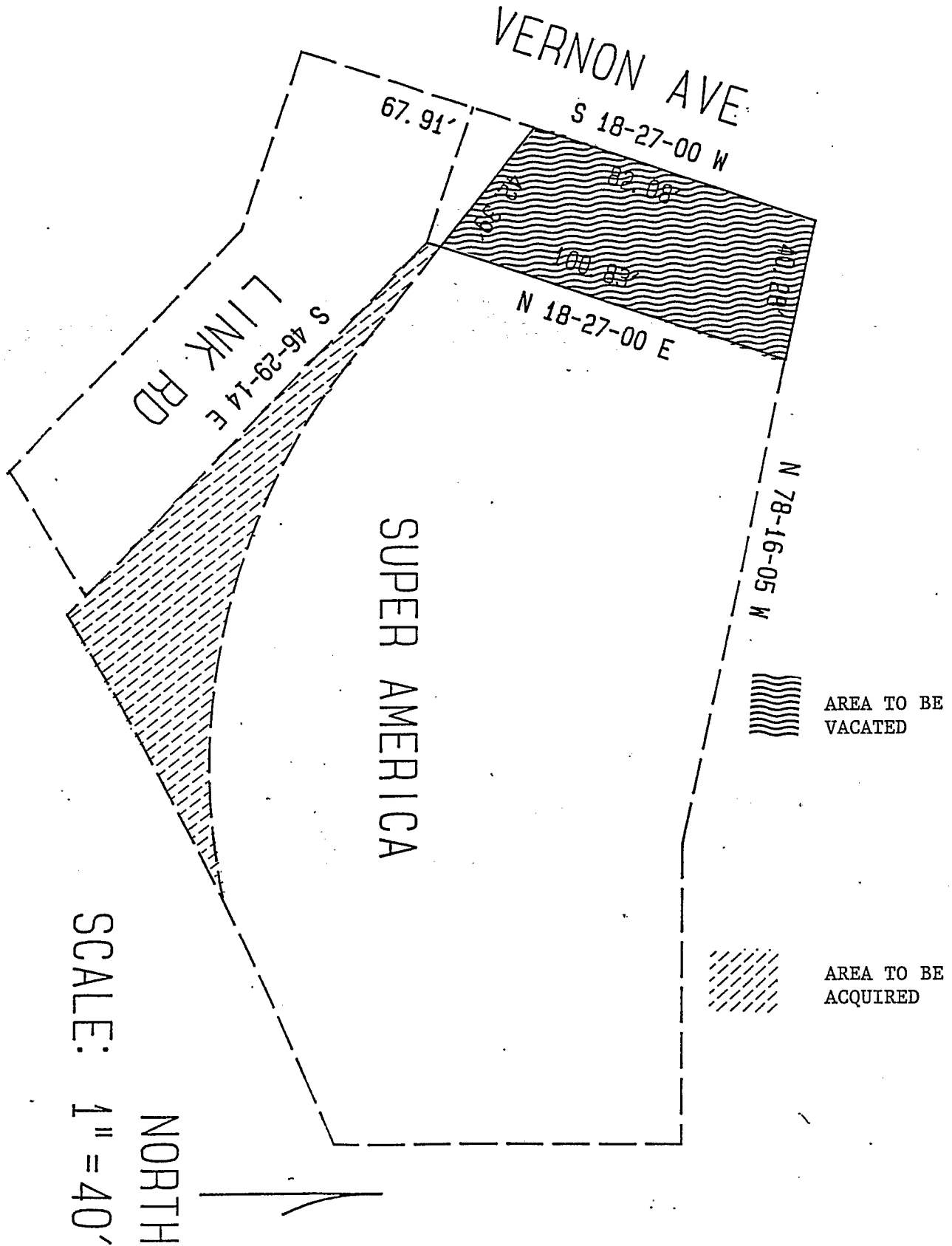
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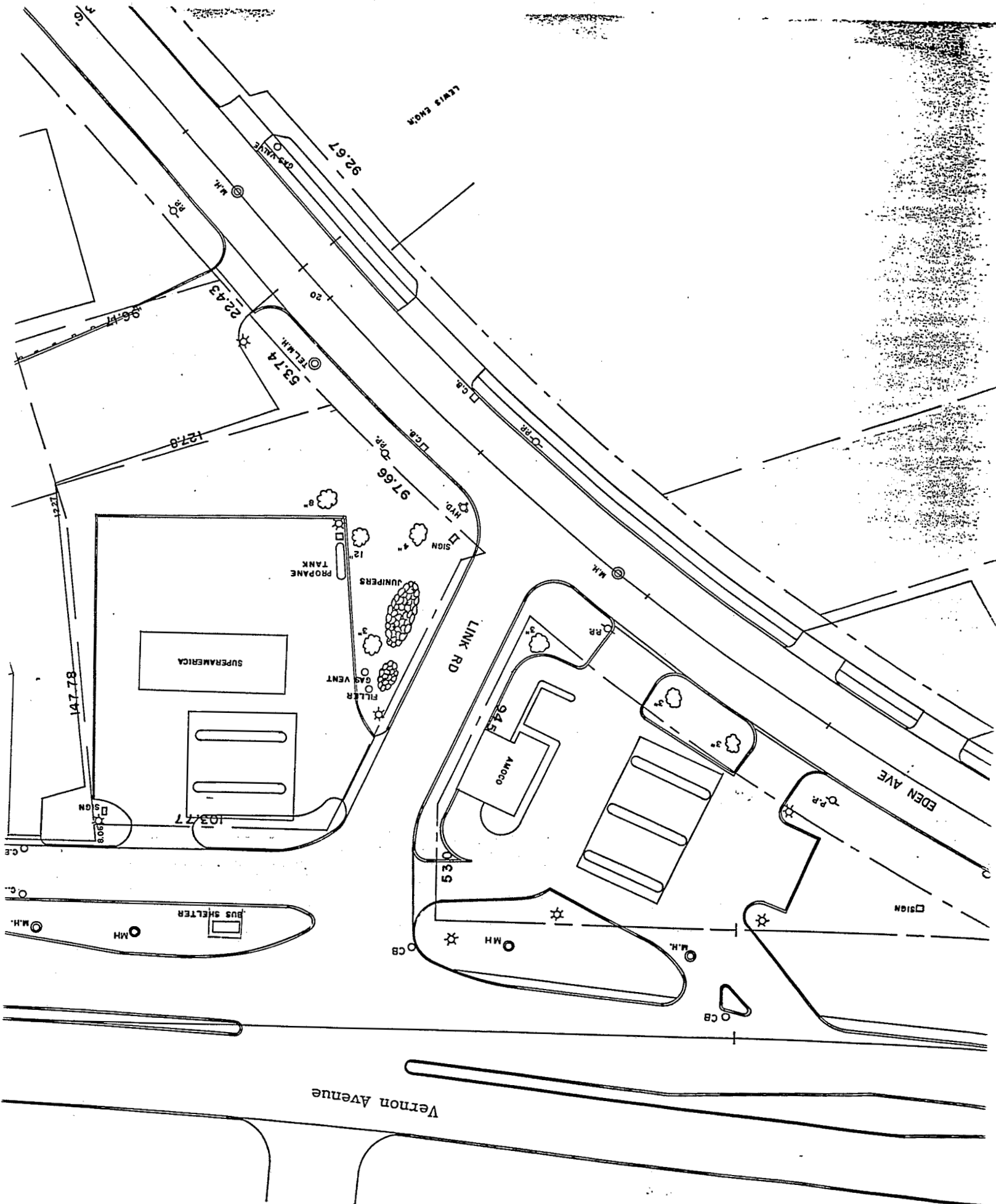
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BY ORDER OF THE EDINA CITY COUNCIL
Marcella M. Daehn, City Clerk

EXHIBIT A



Vernon Avenue



STREET AND/OR EASEMENT VACATION REVIEW

CITY ENGINEER by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

CONDITIONS _____

MINNEGASCO by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

CONDITIONS _____

NORTHWESTERN BELL by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

CONDITIONS _____

N.S.P. by S. E. Frasz ☒ Acceptable ☐ Opposed ☐ Conditional

ROGERS CABLESYSTEMS by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

CONDITIONS _____

LOCATION Portion of Service Road at Superamerica - Vernon Avenue

PLEASE SIGN AND RETURN TO INDICATE RECEIPT OF NOTICE

Return to:

City Clerk
City of Edina
4801 W. 50th Street
Edina, MN 55424

STREET AND/OR EASEMENT VACATION REVIEW

CITY ENGINEER by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

CONDITIONS _____

MINNEGASCO by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

CONDITIONS _____

NORTHWESTERN BELL by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

CONDITIONS _____

N.S.P. by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

ROGERS CABLESYSTEMS by _____ ☒ Acceptable ☐ Opposed ☐ Conditional

CONDITIONS NONE

LOCATION

Portion of Service Road at Superamerica - Vernon Avenue

Ronald Goodin - Verification Technician

LS6-76

PLEASE SIGN AND RETURN TO INDICATE RECEIPT OF NOTICE

MAY 03 1989

Return to:

City Clerk
City of Edina
4801 W. 50th Street
Edina, MN 55424

CITY OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424

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ON VACATION OF EASEMENT FOR STREET PURPOSES
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BY ORDER OF THE EDINA CITY COUNCIL
Marcella M. Daehn, City Clerk

STREET AND/OR EASEMENT VACATION REVIEW

CITY ENGINEER by _____ ☐ Acceptable ☐ Opposed ☒ Conditional

CONDITIONS Acceptable in exchange for needed ROW on Eden Link

MINNEGASCO by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

CONDITIONS _____

NORTHWESTERN BELL by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

CONDITIONS _____

N.S.P. by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

ROGERS CABLESYSTEMS by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

CONDITIONS _____

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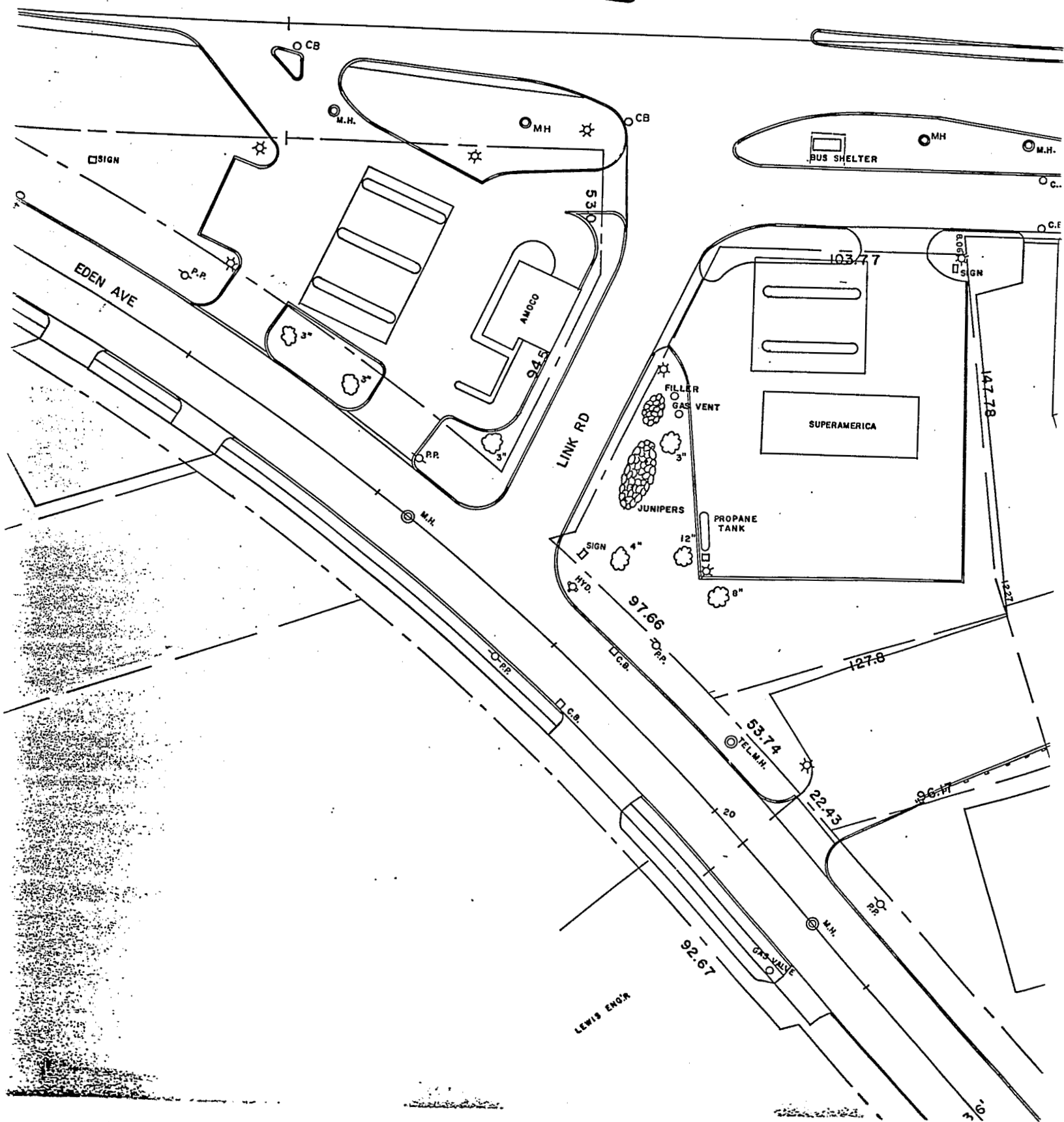
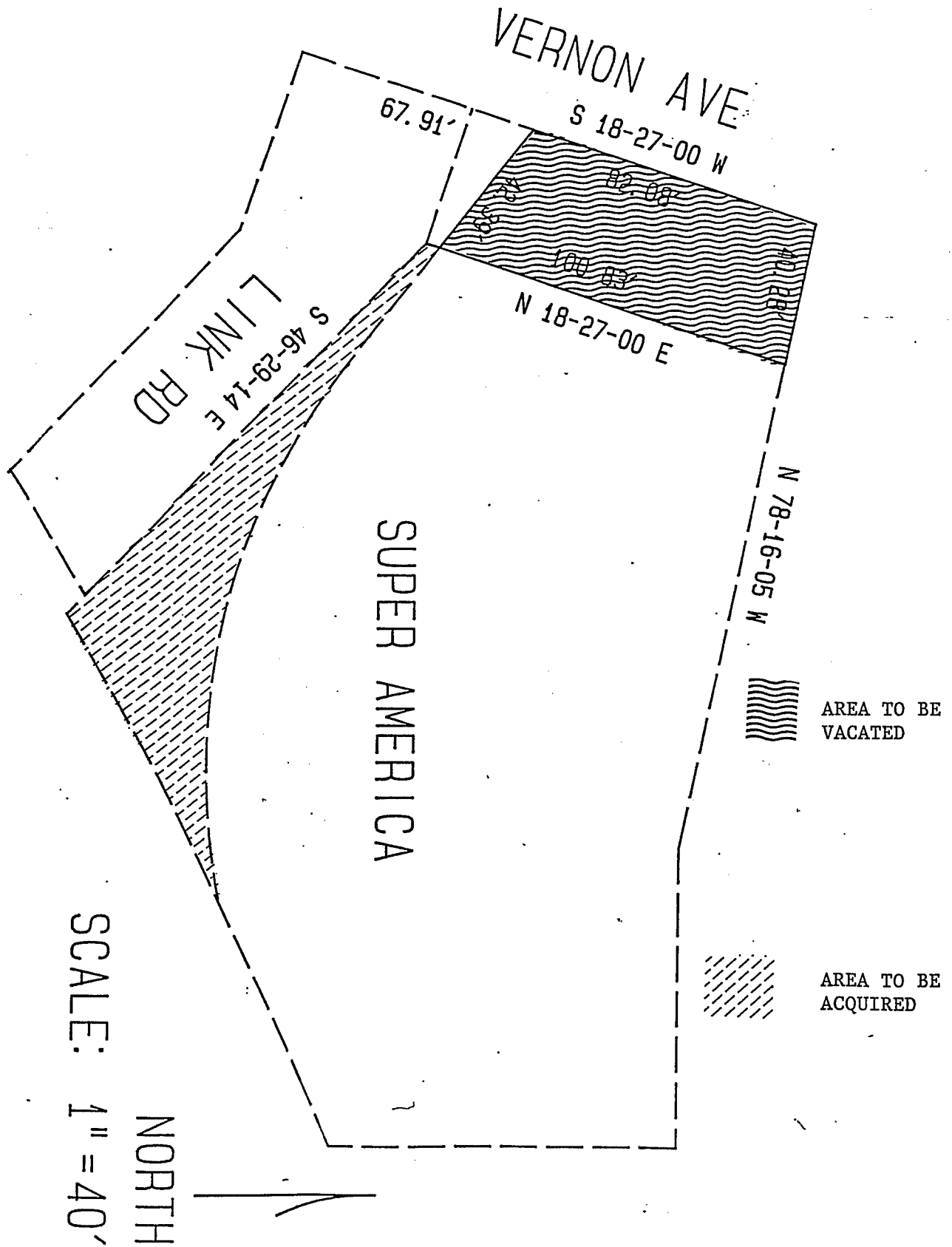


EXHIBIT A



CITY OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424

NOTICE OF PUBLIC HEARING
ON VACATION OF EASEMENT FOR STREET PURPOSES
IN THE CITY OF EDINA
HENNEPIN COUNTY, MINNESOTA

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BY ORDER OF THE EDINA CITY COUNCIL
Marcella M. Daehn, City Clerk

STATE OF MINNESOTA)
COUNTY OF HENNEPIN) SS
CITY OF EDINA)

AFFIDAVIT OF POSTING NOTICE OF HEARING ON
VACATION OF EASEMENT FOR STREET PURPOSES

The undersigned, being first duly sworn, upon oath deposes and says that he/she is a duly appointed and acting Police Officer for the City of Edina, Hennepin County, Minnesota, and that on April 28, 1989 he/she posted the Notice of Hearing on the vacation described above to be held on May 15, 1989, a true and correct copy of which is hereto attached, at each of the following official City Bulletin Boards located at conspicuous places within the City:

- 1) City Hall, 4801 W. 50th Street
- 2) 50th and France Business Area, 3943 W. 50th Street
- 3) Amundson Avenue Shopping Center - NW corner of Parking Lot

Dated

4-28-89

Signed

Don J. Mearns
Police Officer

Signed and sworn to before me, a Notary Public
in and for Hennepin County, Minnesota, this
28th day of April, 19 89.

Martha M. Dachs

CITY OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424

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Marcella M. Daehn, City Clerk

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4801 W. 50TH STREET
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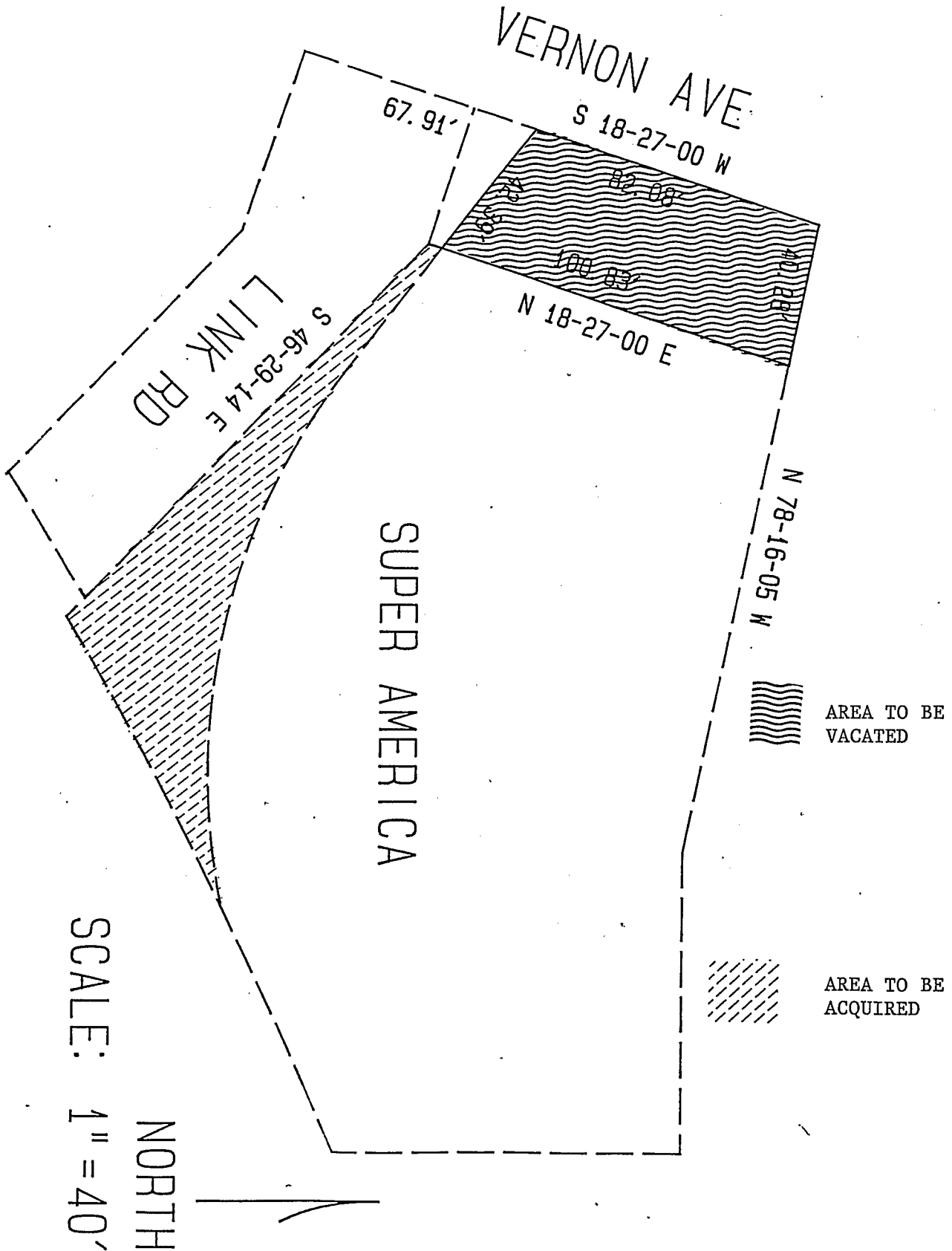
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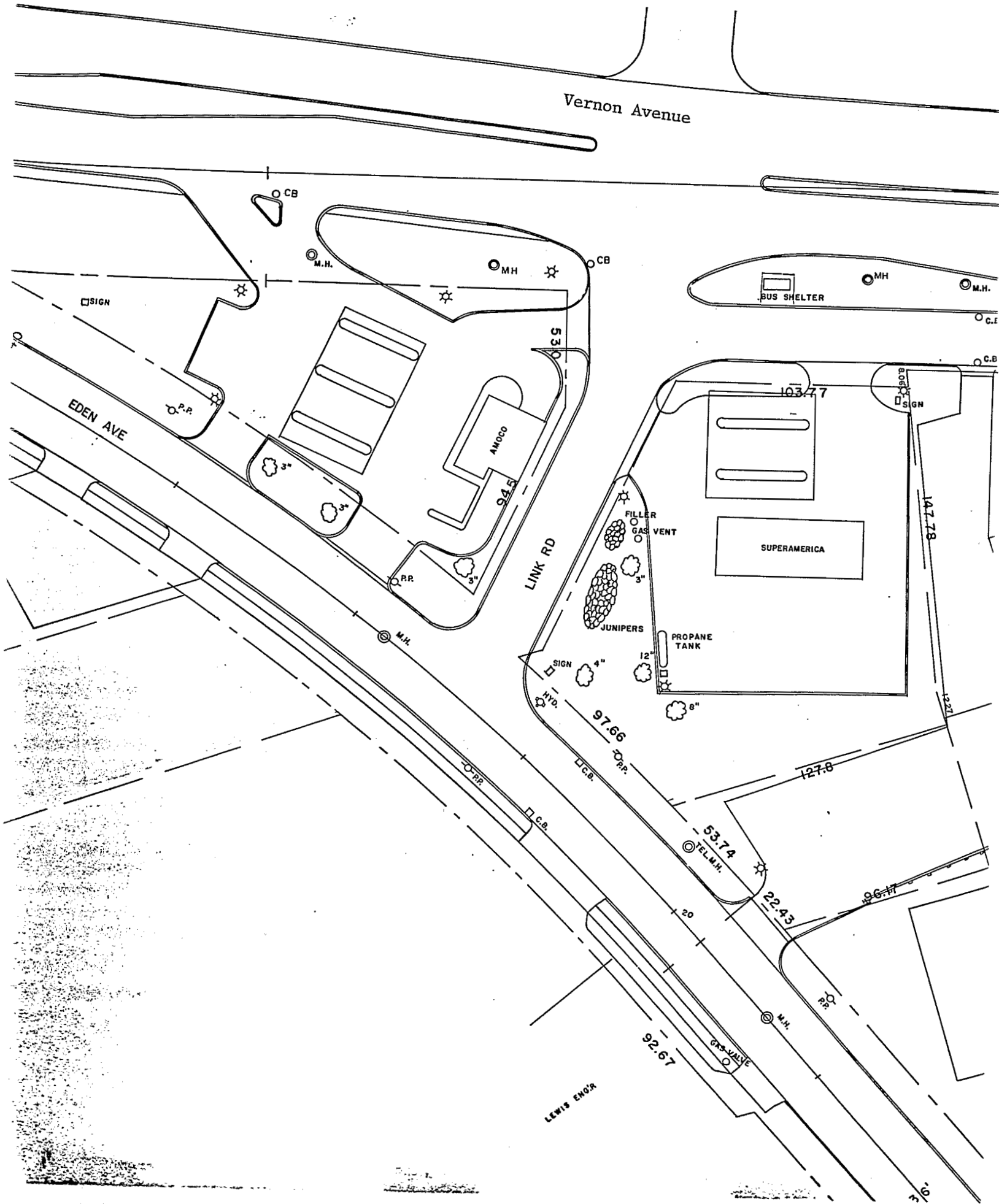
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BY ORDER OF THE EDINA CITY COUNCIL
Marcella M. Daehn, City Clerk

EXHIBIT A



Vernon Avenue



1/1/74

STATE OF MINNESOTA)
COUNTY OF HENNEPIN) SS
CITY OF EDINA)

CERTIFICATE OF MAILING NOTICE

I, the undersigned, being the duly qualified acting City Clerk of the City of Edina, Minnesota, hereby certify that on the following date April 28, 19 89, acting on behalf of said City I deposited in the United States mail copies of the attached NOTICE OF HEARING ON VACATION OF EASEMENT FOR STREET PURPOSES

(Exhibit A), enclosed in sealed envelopes, with postage thereon duly prepaid, addressed to the persons at the addresses as shown on the mailing list (Exhibit B) attached to the original hereof, which list is on file in my office, said persons being those appearing on the records of the County Auditor as owners of the property listed opposite their respective names, as of a date at least 14 days prior to the date of the hearing; and that I also sent said notice to the following corporations at the indicated addresses whose property is exempt from taxation and is therefore not carried on the records of said County Auditor.

<u>Name</u>	<u>Address</u>
_____	_____
_____	_____
_____	_____
_____	_____

WITNESS my hand and seal of said City this 28th day of April, 19 89.

Maudie M. Bach
Edina City Clerk

MAILING LIST FOR VACATION OF SERVICE ROAD - SUPERAMERICA, 5205 VERNON AV

28-117-21-34-0024 Drs. J. T. Beecher - J. A. Rohde
5230 Vernon Avenue So.
Edina, MN 55436

0025 Page Three Inc.
0017 4940 Viking Dr., Suite 208
Edina, MN 55435

0016 Superamerica Stations, Inc.
c/o Tax Dept.
P.O. Box 14000
Lexington, KY 40512

28-117-21-33-0018 Grandview Development Company
5353 Gamble Dr., Suite 311
Minneapolis, MN 55416

0004 Amoco Oil Company
Attn: Tax Dept..
P.O. Box 3428
Oak Brook, IL 60522

Stuart E. Fraser
NSP Normandale Division
5309 W. 70th Street
Edina, MN 55435

Pat Hopman
U.S. West Communications
6244 Cedar Avenue So.
Richfield, MN 55423

Steven Von Vargen
Minnegasco, Inc.
700 Linden Ave. W.
P.O. Box 1165
Minneapolis, MN 55440-1165

Matt Haveland
Rogers Cablesystems
801 Plymouth Ave. No.
Minneapolis, MN 55411

CITY OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424

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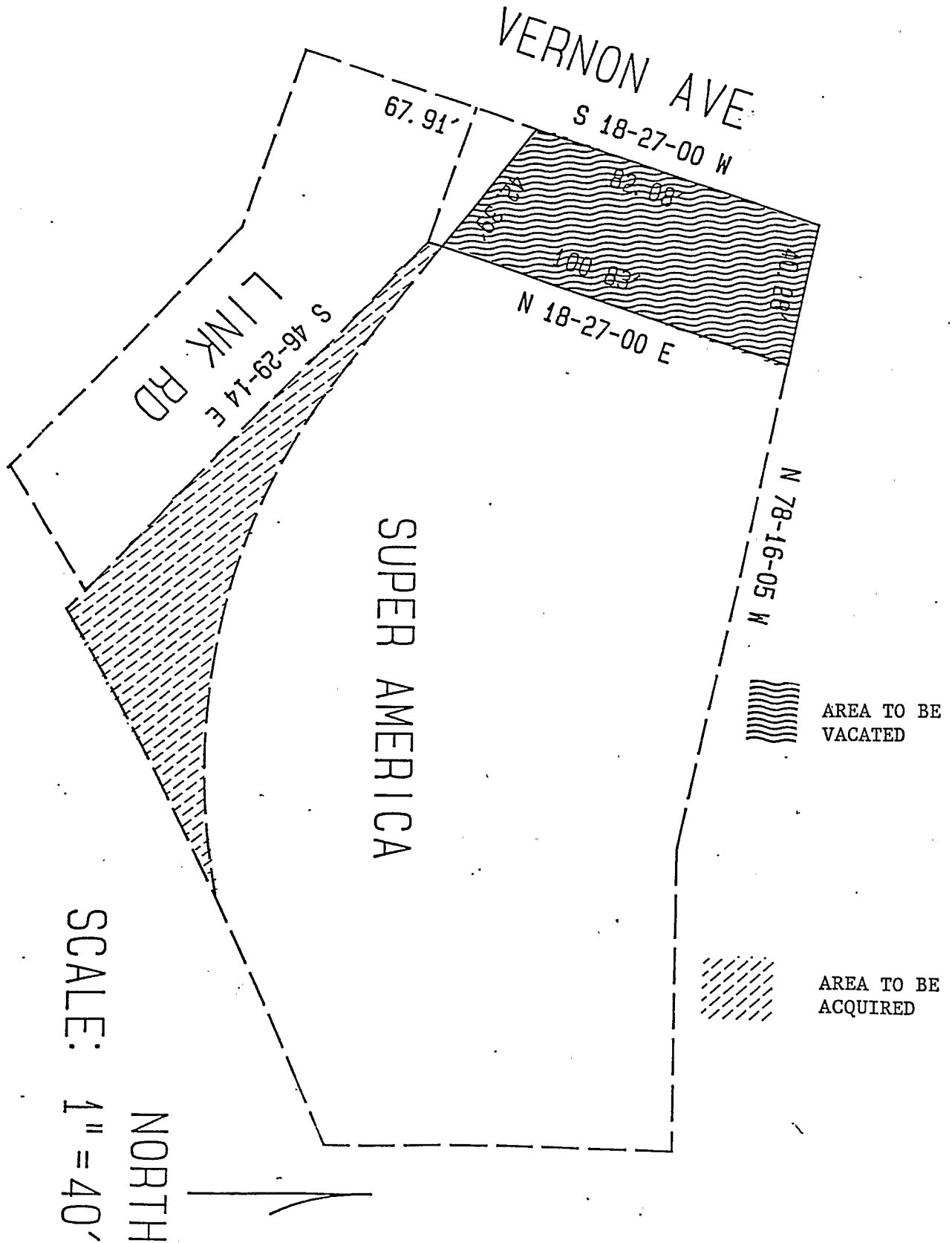
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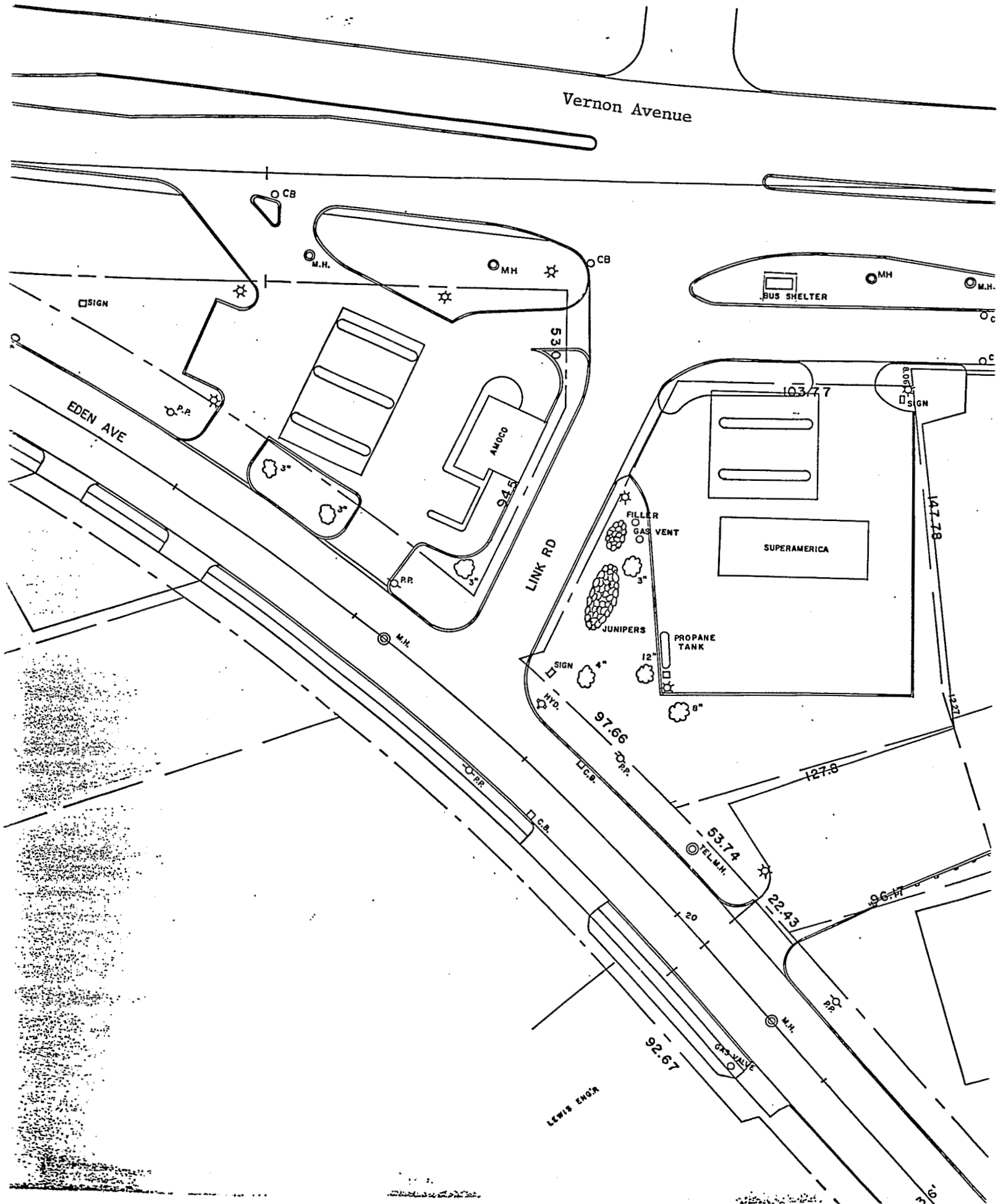
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BY ORDER OF THE EDINA CITY COUNCIL
Marcella M. Daehn, City Clerk

EXHIBIT A





Attn: Meridel Hedblom

(Official Publication)

CITY OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424

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BY ORDER OF THE EDINA CITY COUNCIL
Marcella M. Daehn, City Clerk

Please publish in the Edina Sun-Current on April 26 and May 3, 1989.
Send two Affidavits of Publication.



4/20/89 14:25

80 p.m.

Mance: 28 117 21

~~31~~

34

0025

Page Three

0024

Drs. J. T. Beecher - J. A. Rohde
5230 Vernon Ave So - Edina, MN (36)

0017

Page Three Inc, 4940 Xiking Dr. Suite 208 ^{Edina} (35)

0016

Superamerica Stations, Inc. c/o Tax Dept.
P.O. Box 14000, Lexington, Ky. 40512

33

0018

Grandview Dev. Co. 5353 Gamble Dr. Suite 311 ^{mpls. 55416}

0004

Amoco Oil Co. - Attn: Tax Dept.
P.O. Box 3428
Oak Brook, IL. 60522



Street Easement Vacation

All that part of Lot 2, Block 1 Enroth's First Addition, described as follows: Beginning at a point on the Westerly line of said Lot 2 with an assumed bearing of North 18 degrees 27 minutes 00 Seconds East distance 67.91 feet Northeasterly from the most Westerly corner of said Lot 2, as measured along said Westerly line; thence South 52 degrees 13 minutes 00 Seconds East 42.39 feet; thence North 18 degrees 27 minutes 00 Seconds East 100.83 feet to the North line of said Lot 2; thence North 78 degrees 16 minutes 05 seconds West 40.28 feet to the Northwesternly corner of said Lot 2; thence South 18 degrees 27 minutes 00 Seconds West along the Westerly line of said Lot 2 82.08' to the point of beginning.

Publish 4/26 + 5/3



REPORT/RECOMMENDATION

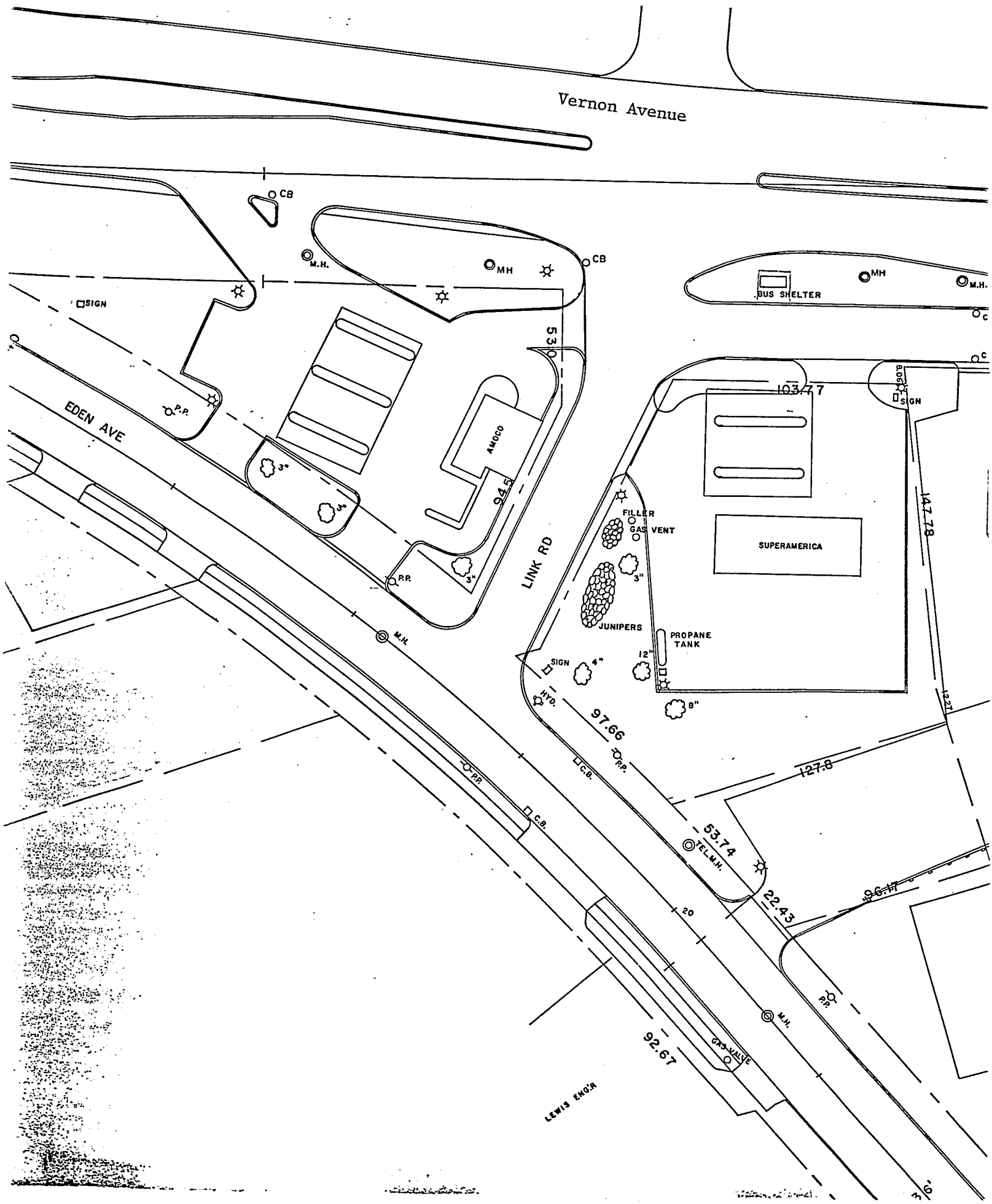
To: Mayor & City Council	Agenda Item # <u>V.I.</u>
From: Francis Hoffman City Engineer <i>FJH</i>	Consent <input checked="" type="checkbox"/>
Date: 27 April, 1989	Information Only <input type="checkbox"/>
Subject: Vacation of a Portion of South Frontage Road on Vernon Avenue	Mgr. Recommends <input type="checkbox"/> To HRA <input checked="" type="checkbox"/> To Council
	Action <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Resolution <input type="checkbox"/> Ordinance <input type="checkbox"/> Discussion

Recommendation:

Set Hearing Date of May 15, 1989.

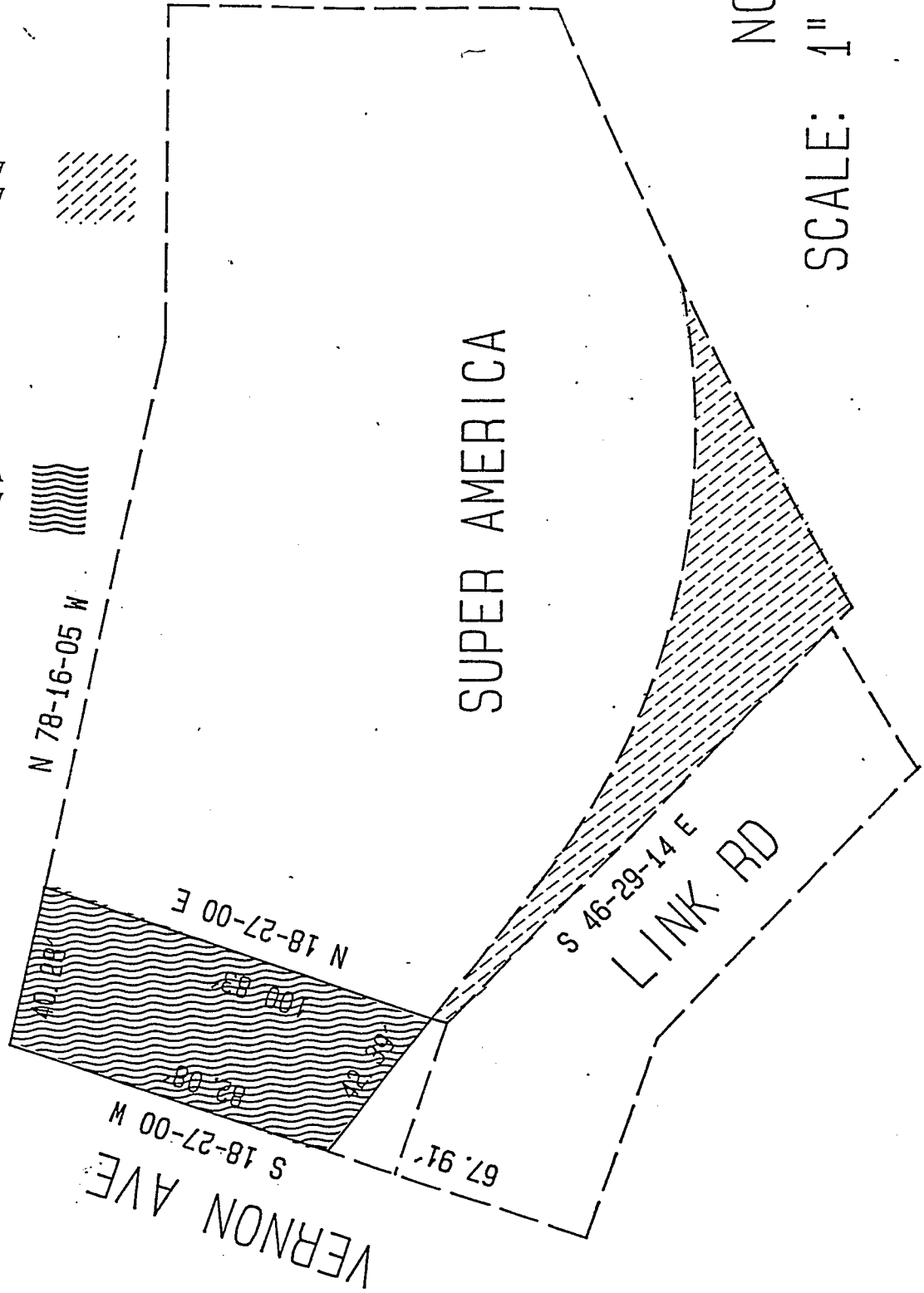
Info/Background:

This hearing is a part of the project involving the reconstruction of Link Road and Eden Avenue in the Grandview Area. The attached exhibit shows the existing layout and the proposed land exchange with Superamerica to complete right-of-way exchanges. This construction project had been approved by Council earlier and was reconfirmed earlier this year.



AREA TO BE
ACQUIRED

AREA TO BE
VACATED



NORTH
SCALE: 1" = 40'